

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CV-308-MOC-DSC**

LASHONDA SIMS,)
)
Plaintiff,)
)
v.) **MEMORANDUM AND ORDER**
)
WINSDTREAM COMMUNICATIONS,)
INC., JENNIFER BUCK, JOSH)
IMHOFF, ADAM COVINGTON, and)
SUE INTIHAR,)
)
Defendants.)
)

THIS MATTER is before the Court on “Defendants’ Motion to Dismiss” (doc. 9) filed July 19, 2011 and its accompanying memorandum (doc. 10). On August 8, 2011, the Court notified Plaintiff of her right to respond and advised her that failure to do so may result in dismissal of her case. (doc. 11). On August 22, 2011, Plaintiff filed an Amended Complaint (doc. 13) which she requested to be “review[ed] . . .as [her] response” (doc. 12). On September 1, 2011, Defendants’ filed their “Reply in Further Support of Defendants’ Motion to Dismiss” (doc. 14).

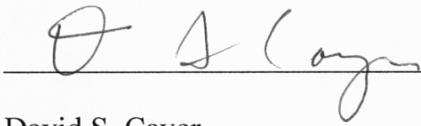
Having conferred with the chambers of the Honorable Max O. Cogburn, Jr. (the District Judge to whom this case is assigned), the Court will allow Plaintiff to amend her Complaint.

It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

Accordingly, "Defendants' Motion to Dismiss" is administratively DENIED as moot without prejudice.

SO ORDERED.

Signed: September 15, 2011



David S. Cayer
United States Magistrate Judge

